

**Amendment No. 2 to SB3789**

**Woodson**  
**Signature of Sponsor**

**FILED**

Date \_\_\_\_\_

Time \_\_\_\_\_

Clerk \_\_\_\_\_

Comm. Amdt. \_\_\_\_\_

**AMEND Senate Bill No. 3789\***

**House Bill No. 3857**

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 7, Part 1, is amended by adding the following language as new, appropriately designated sections:

§ 49-7-1\_\_.

No person, agent, group or entity of whatever kind, alone or in concert with others, shall:

(1) Operate in this state a postsecondary educational institution, unless prior to a student signing an enrollment contract or agreement, the institution provides any prospective student with written information that clearly and explicitly sets forth the meaning of "transferability of credits". If the institution has an articulation agreement with another institution, the written information shall explicitly state the terms and limitations of such agreement. Such information shall advise the student that credits earned at the institution may not transfer to other postsecondary institutions and that if the student plans to transfer to another postsecondary institution in the future, then the student is strongly advised to call the admissions office or registrar of any institution to which the student might transfer to check whether credits earned at the postsecondary institution at which the student is considering enrolling will transfer to other institutions before the student signs any enrollment contract or agreement. Such written information shall be in bold face type in a font two (2) points larger than the type in the rest of the agreement or document. The student shall

initial and date a copy of the written information to indicate that the student was given the information.

(2) Operate in this state a postsecondary educational institution, unless all enrollment contracts or agreements have printed in bold face type in a font two (2) points larger than the rest of the agreement or document the following statement:

Credits earned at [insert name of institution at which the student is considering enrolling] may not transfer to other schools. I have been given information by [insert name of institution at which the student is considering enrolling] about the transferability of credits. That information instructed me to check with other schools to which I may possibly transfer as to whether they would accept credits from [insert name of institution at which student is considering enrolling]. If I transfer to another school, I understand that I may be required to take some or all of the courses again should that institution not accept my credits. This information was given to me on [insert date].

The contract or agreement shall contain initial and date lines on which the student shall initial and date the contract to indicate that the student read the above statement.

(3) If a postsecondary institution does not require a student to sign an enrollment contract or agreement, then information on how to obtain the institution's transfer of credit policy shall be included in the letter of acceptance or other such document sent by the postsecondary institution to the student. Such information shall be sent to the student prior to the institution requesting any payment from the student other than an application fee or a housing deposit.

§ 49-7-1\_\_.

All postsecondary educational institutions operating in this state shall annually provide to the Tennessee higher education commission the following demographic information:

(1) The total enrollment of the institution and the number of graduates;

(2) A listing of programs offered by the institution with the enrollment in each program and the number of graduates of each program for each location where the program is offered;

(3) Job placement data, including, but not limited to, the percentage of graduates obtaining jobs and the percentage of graduates with jobs in their fields of study. A student shall be included in the data reported for the fiscal year in which the student graduated and for the following fiscal year. The fiscal year to be used for reporting shall be the fiscal year from July 1 to June 30;

(4) The number of students leaving a program prior to completion for each location where the program is offered;

(5) The percentage of the enrolled students who are Tennessee residents; and

(6) The number of students in various age brackets. The commission shall specify the age brackets to be used. All required information shall be provided by total numbers and broken down by race and gender. The commission may require other demographic data as needed to evaluate postsecondary institutions operating in this state and the programs that they offer. Liberal arts, professional or regionally accredited institutions of the type that have not historically reported vocational placement data may request a waiver from the requirements of this subsection

from the executive director of the commission, which waiver shall not be unreasonably withheld.

§ 49-7-1\_\_\_. In considering the acceptance of credits from postsecondary institutions in Tennessee, accepting institutions shall not discriminate solely based upon accreditation of the transferring institution.

SECTION 2. Tennessee Code Annotated, Title 49, Chapter 7, Part 20, is amended by adding the following language as a new, appropriately designated section:

§ 49-7-20\_\_\_. A postsecondary institution authorized to operate in this state under § 49-7-2008 shall place on its website job placement data that provides at least the percentage of graduates obtaining or continuing in jobs in their fields of study in the twelve (12) months preceding the last reauthorization cycle to the postsecondary institution. The job placement data for each program shall be displayed in bold face type within the general information for that program.

§ 49-7-20\_\_\_.

(a)

(1) A postsecondary institution authorized to operate in this state under § 49-7-2008 shall provide an addendum to any enrollment contract or agreement entered into on or after notification is received of any authorization or reauthorization on a limited or restricted basis. Such addendum shall notify the student of any limited or restricted authorization. Such addendum shall be entitled: "Notice of Conditional or Limited Authorization" and shall be signed and dated by the student.

(2) If the institution has been placed on conditional or probationary authorization to operate, the statement shall explicitly set forth the standards that the institution failed to meet and the conditions under which the executive director or the commission

placed the institution on conditional or probationary authorization.

The statement shall also state that continued failure to meet the conditions may result in the school's loss of authorization to operate in Tennessee. All information concerning conditional or probationary authorization shall be in bold face type.

(b) The information required under subsection (a) shall also be posted on the institution's website in bold face type.

SECTION 3. Any information required by this act to be placed on a contract, agreement or other document or posted on a website shall be so placed by January 1, 2009.

SECTION 4. This act shall take effect July 1, 2008, the public welfare requiring it.